

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

OCTAVIO HERNANDEZ SUAREZ,

Defendant.

CR. NO. S-02-0246 EJG  
CIV. NO. S-06-2728 EJG

ORDER GRANTING LEAVE TO FILE A  
SUPPLEMENTAL BRIEF AND  
EXTENDING FILING DEADLINE FOR  
OPPOSITION BRIEF

Defendant, a federal prisoner proceeding pro se, filed a motion to vacate, set aside or correct his sentence. In an order filed February 20, 2007, the court established a briefing schedule for the motion. Defendant now seeks leave to file a supplemental brief addressing a recent Supreme Court decision, and the government has requested a 60-day extension in which to file its opposition. Both requests are GRANTED. Defendant's supplemental brief shall be filed and served on the government by May 18, 2007. The government's opposition brief shall be filed and served on defendant by July 20, 2007. Defendant may file and serve a reply no later than August 17, 2007. The matter will stand submitted upon receipt of the reply brief. Failure to timely file the reply brief will be deemed a waiver of the right to file such a brief.

IT IS SO ORDERED.

Dated: April 19, 2007

/s/ Edward J. Garcia  
EDWARD J. GARCIA, JUDGE  
UNITED STATES DISTRICT COURT